THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 14 NUMBER 28

Washington, Friday, February 11, 1949

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10034

FURTHER EXEMPTION OF JOHN MONROE JOHNSON FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS, in my judgment, the public interest requires that John Monroe Johnson, a member of the Interstate Commerce Commission, who was exempted by Executive Order No. 9954 of April 26, 1948, from compulsory retirement for age for an indefinite period of time not extending beyond the expiration of his present term of office as defined in that order, be further exempted from such retirement for age as provided below:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a), I hereby further exempt the said John Monroe Johnson from compulsory retirement for age for an indefinite period of time not extending beyond the duration of a further term of office as a member of the Interstate Commerce Commission: *Provided*, that, for the purposes of this order, his further term of office shall be considered as expiring upon the appointment and qualification of his successor.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 9, 1949.

[F. R. Doc. 49-1098; Filed, Feb. 10, 1949; 10:21 a. m.]

EXECUTIVE ORDER 10035

DESIGNATING THE HONORABLE LUIS NEGRON-FERNANDEZ AS ACTING JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR PUERTO RICO FOR THE YEAR 1949

By virtue of the authority vested in me by section 41 of the act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes," approved March 2, 1917, as amended by section 2 of the act of March 26, 1938, 52 Stat. 118 (48 U. S. C. 863), I hereby designate and authorize the Honorable Luis Negron-Fernandez, Associate Justice of the Supreme Court of Puerto Rico, to perform and discharge the duties of Judge of the District Court of the United States for Puerto Rico, and to sign all necessary papers and records as Acting Judge of the said Court, without extra compensation, during the absence, illness, or other legal disability of the Judge thereof, during the year 1949.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 10, 1949.

[F. R. Doc. 49-1099; Filed, Feb. 10, 1949; 10:55 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR GRADES OF FRUIT PRESERVES (OR JAMS) [1]

On March 18, 1948, notice of proposed rule making was published in the FEDERAL REGISTER (13 F. R. 1408) regarding the revision of the United States Standards for Grades of Fruit Preserves (or Jams) which have been in effect since May 15, 1943. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Fruit Preserves (or Jams) are hereby promulgated to become effective under the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948):

§ 52.333 *Fruit preserves (or jams).* (a) "Fruit preserves (or jams)" means preserves or jams as defined in the definitions and standards of identity for preserves, jams (21 CFR, Cum. Supp.,

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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29.0), issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(1) The soluble solids for fruit preserves (or jams) in Group I (see paragraph (c) of this section) are not less than 68 percent.

(2) The soluble solids for fruit preserves (or jams) in Group II (see paragraph (c) of this section) are not less than 65 percent.

(b) *Types of fruit preserves (or jams)*—(1) *Type I.* Fruit preserves (or jams) that are prepared from a single fruit (except apple) listed in Group I or Group II are prepared from "Type I."

(2) *Type II.* Fruit preserves (or jams) that are more than a single fruit listed in Group I and Group II are "Type II."[2]

(c) *Kinds of fruit preserves (or jams) according to Group I or Group II designation.*

GROUP I

Any one singly or in combination with not more than four of the following:[2]

Blackberry (other than dewberry).
Black raspberry.
Blueberry.
Boysenberry.
Cherry.
Crabapple.
Dewberry (other than boysenberry, loganberry and youngberry).
Elderberry.
Grape.
Grapefruit.
Huckleberry.
Loganberry.
Orange.
Pineapple.
Raspberry, red raspberry.
Rhubarb.
Strawberry.
Tangerine.
Tomato.
Yellow tomato.
Youngberry.

GROUP II

Any one singly or in combination with not more than four of the following fruits and fruits in Group I:[2]

Apple (Type II only).
Apricot.
Cranberry.
Damson, damson plum.
Fig.
Gooseberry.
Greengage, greengage plum.
Guava.
Nectarine.
Peach (clingstone and freestone).
Pear.
Plum (other than greengage plum and damson plum).
Quince.
Red currant, currant (other than black currant).

(d) *Grades of fruit preserves (or jams).* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of fruit preserves (or jams) that possess a good consistency; possess a practically uniform, good typical color; are practically free from defects; possess a distinct and normal flavor, and score not less than 85 points when scored in accordance with the scoring system outlined in this section: *Provided*, That any fruit preserves (or jam), with respect to which the total score for the product is not less than 85 points when scored in accordance with the scoring system outlined in this section, may possess a reasonably good consistency and a reasonably good and normal flavor.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of fruit preserves (or jams) that possess a reasonably good consistency; possess a reasonably uniform, reasonably good typical color; are reasonably free from defects; possess a reasonably good and normal flavor; and score not less than 70 points when scored in accordance with the scoring system outlined in this section.

[2] In accordance with the limits specified in the definitions and standards of identity for preserves, jams. (21 CFR, Cum. Supp., 29.0)

(3) "U. S. Grade D" or "Substandard" is the quality of fruit preserves (or jams) that fail to meet the requirements of U. S. Grade B or U. S. Choice.

(e) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be filled with fruit preserves (or jams) as full as practicable without impairment of quality and that the product occupy not less than 90 percent of the capacity of the container.

(f) *Ascertaining the grade.* The grade of fruit preserves (or jams) is ascertained by considering, in addition to the minimum score requirement of the grade, the respective ratings of the factors of consistency, color, absence of defects, and flavor. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factors:	Points
(1) Consistency	20
(2) Color	20
(3) Absence of defects	40
(4) Flavor	20
Total score	100

(g) *Ascertaining the rating for each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Consistency.* The factor of consistency refers to the extent of the dispersion and size of the fruit or fruit particles throughout, and the gel strength of, the product.

(i) Fruit preserves (or jams) that possess a good consistency may be given a score of 17 to 20 points. "Good consistency" means that the fruit or fruit particles are dispersed uniformly throughout the product; and that the product is a tender gel or may possess no more than a very slight tendency to flow, except that a slightly less viscous consistency may be present when the fruit is chiefly in the form of whole units or large pieces. Fruit preserves (or jams) which possess a good consistency may be given a score of 20 points if the fruit and fruit particles are in the form of substantially whole, partially whole, or large pieces.

(ii) If the fruit preserves (or jams) possess a reasonably good consistency, a score of 14 to 16 points may be given. "Reasonably good consistency" means that the fruit or fruit particles are dispersed reasonably uniformly throughout the product; and that the product may be firm but not rubbery or may be noticeably viscous but not excessively thin.

(iii) Fruit preserves (or jams) that fail for any reason to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Color.* (i) Fruit preserves (or jams) that possess a practically uniform, good typical color may be given a score of 17 to 20 points. "Practically uniform, good typical color" means that the color is bright, practically uniform throughout, and characteristic of the variety or varieties of the fruit ingredients; and that the product is free from dullness of color due to any cause (including, but not being limited to, oxidation or improper processing or cooling).

(ii) If the fruit preserves (or jams) possess a reasonably uniform, reasonably good typical color, a score of 14 to 16 points may be given. Fruit preserves (or jams) that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably uniform, reasonably good typical color" means that the color is reasonably bright, reasonably uniform throughout, and characteristic of the variety or varieties of the fruit ingredients; however, the color may be slightly dull but not off color due to oxidation or improper processing or cooling or other causes.

(iii) Fruit preserves (or jams) that for any reason fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Absence of defects.* The factor of absence of defects refers to the degree of freedom of fruit preserves (or jams) from extraneous material; caps and leaves and portions thereof, and stems; loose sepal-like bracts; seeds, pits, skin or peel, and portions thereof of fruit that are prepared for the manufacture of fruit preserves (or jams) by the removal of such substances; and blemished units, underdeveloped units, or otherwise damaged units.

(i) "Caps" means a loose, or attached, full cap, or a portion of a cap to which at least one sepal-like bract or portion thereof is attached. A short stem that is attached to a cap is considered a part of the cap.

(ii) "Short stem" means a stem that is ⅛ inch or less in length, and which may include the center portion of a cap to which no sepal-like bract or portion thereof is attached. A short stem that is attached to a cap is considered a part of that cap.

(iii) "Small stem" means a stem that is longer than ⅛ inch but not more than ¼ inch in length. A small stem that is attached to a cap is considered separate from the cap.

(iv) "Medium stem" means a stem that is longer than ¼ inch but not more than ½ inch in length. A medium stem that is attached to a cap is considered separate from the cap.

(v) "Long stem" means a stem that is longer than ½ inch in length. A long stem that is attached to a cap is considered separate from the cap.

(vi) "Cluster of cap stems" means three or more joined cap stems with or without berries attached.

(vii) "Skin" or "peel" means, with respect to those fruits, such as apples and peaches, that are commonly prepared for the manufacture of fruit preserves (or jams) by the removal of the skin or peel, any skin or peel whether or not it is attached.

(viii) "Seeds" means, with respect to those fruits, such as apples, grapes, and pears, that are prepared for the manufacture of fruit preserves (or jams) by the removal of the seeds, the seeds of such fruit. Seeds are not considered as defects in fruit preserves (or jams) prepared from such fruits as figs and tomatoes.

(ix) "Pit" means, with respect to those fruits, such as apricots, cherries, plums, and peaches, that are prepared for the manufacture of fruit preserves (or jams) by the removal of the pits, a whole, intact pit. Portions of pits include:

(*a*) A "piece of pit" which means any portion of a pit that is more than ½ inch in any dimension;

(*b*) A "small piece of pit" which means any portion of a pit that is not less than ¼ inch nor more than ½ inch in any dimension;

(*c*) And a "pit fragment," which means any portion of a pit that is less than ¼ inch in any dimension.

(x) "Blemished, underdeveloped, or otherwise damaged" means units of fruit in which the appearance or edible quality is damaged because of discolored skin, bruised spots, insect or similar injury, hard areas, or units that are hard and shrivelled or damaged by mechanical, pathological, or other injury.

(xi) Fruit preserves (or jams) that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means, with respect to fruit preserves (or jams) of Type I, that the defects and defective units do not exceed the maximum allowances for U. S. Grade A as specified in Table No. I, Table No. II, or Table No. III of this section, whichever is applicable for the kind of fruit preserves (or jams) listed. "Practically free from defects" means, with respect to fruit preserves (or jams) of Type II, that the defects and defective units do not materially affect the appearance or edibility of the fruit preserves (or jams).

(xii) If the fruit preserves (or jams) are reasonably free from defects, a score of 28 to 33 points may be given. Fruit preserves (or jams) that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means, with respect to fruit preserves (or jams) of Type I, that the defects and defective units do not exceed the maximum allowances for U. S. Grade B as specified in Table No. I, Table No. II, or Table No. III of this section, whichever is applicable for the kind of fruit preserves (or jams) listed. "Reasonably free from defects" means, with respect to fruit preserves (or jams) of Type II, that the defects and defective units do not seriously affect the appearance or edibility of the fruit preserves (or jams).

(xiii) Fruit preserves (or jams) that fail to meet the requirements for U. S. Grade B or U. S. Choice may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(xiv) The determination of allowances for defects and defective units specified in Table No. I, Table No. II, and Table No. III of this section is based on each individual container. When the quantity in a single container is less than the allowance stated, the net weight of all containers in a sample may be aggregated to arrive at the approximate quantity on which the allowance is based; for example, in an allowance of "1 per 200 ounces," the amount allowed would be permitted in a total of not less than 25–8 ounce (200 ounces) containers.

(xv) The term "ounces" in Table No. I, Table No. II, and Table No. III of this section means the net weight of the container or containers comprising the sample; for example, "1 only per 32 ounces," means "1 only per 32 ounces of net weight."

TABLE NO. I—ALLOWANCES FOR DEFECTS

Kind of preserves (or jams) Type I only	Grade and score range	Stems	Leaves	Caps or portions	Other extraneous material	Loose sepal-like bracts	Seeds, pits, or portions thereof	Peel	Blemished, underdeveloped, or otherwise damaged
		Maximum allowances							
Blackberry, Boysenberry, Dewberry, Loganberry, Youngberry	U. S. Grade A (34–40 points).	Total of 1 only per 96 ounces of net weight.				1 per 8 ounces of net weight.	10 seeds per 8 ounces in "seedless".	------	2 per 8 ounces of net weight.
	U. S. Grade B (28–33 points).	Total of 1 only per 32 ounces of net weight.				3 per 8 ounces of net weight.	20 seeds per 8 ounces in "seedless."	------	4 per 8 ounces of net weight.
Cherry	U. S. Grade A (34–40 points).	Total of 1 only per 32 ounces of net weight.				----------	1 per 32 ounces of net weight.	------	5 per 8 ounces of net weight.
	U. S. Grade B (28–33 points).	Total of 1 only per 16 ounces of net weight.				----------	1 per 32 ounces of net weight.	------	8 per 8 ounces of net weight.
Blueberry, Elderberry, Huckleberry	U. S. Grade A (34–40 points).	Total of 1 large stem or 1 leaf per 8 ounces; and 1 cluster of cap stems per 8 ounces.				----------	----------	------	3 per 8 ounces of net weight.
	U. S. Grade B (28–33 points).	Total of 3 large stems or 3 leaves per 16 ounces; and 3 clusters of cap stems per 16 ounces.				----------	----------	------	5 per 8 ounces of net weight.

TABLE NO. II—ALLOWANCES FOR DEFECTS

Kind of preserves (or jams) Type I only	Grade and score range	Stems				Leaves	Caps or portions	Other extraneous material	Loose sepal-like bracts	Seeds, pits, or portions			Peel	Blemished, underdeveloped or otherwise damaged
		Short	Small	Medium	Long					Pit or pieces of pit	Small pieces of pit	Pit fragments		
		⅛" or less	Over ⅛" to ¼" incl.	Over ¼" to ½" incl.	Longer than ½"									
		Maximum allowances												
Apricot	U. S. Grade A (34–40).	1 only per 16 ounces			None	1 only per 32 ounces.	------	1 only per 200 ounces.	------	1 only per 200 ounces.	----------	----------	No limit	1 unit per 8 ounces.
	U. S. Grade B (28–33).	1 only per 8 ounces			None	1 only per 16 ounces.	------	1 only per 128 ounces.	------	1 only per 200 ounces.	----------	----------	No limit	4 units per 8 ounces.
Peach, Nectarine	U. S. Grade A (28–33).	----------	------	------	------	None	------	1 only per 32 ounces.	------	1 only per 96 ounces.	1 only per 32 ounces.	1 only per 8 ounces.	1 sq. inch per 16 ounces.	2 units per 8 ounces.
	U. S. Grade B (34–40).	----------	------	------	------	None	------	3 per 32 ounces.	------	1 only per 48 ounces.	1 only per 16 ounces.	2 only per 8 ounces	1 sq. inch per 8 ounces.	8 units per 8 ounces.
Strawberry, Raspberry, Raspberry, Black, Raspberry, Red	U. S. Grade A (34–40).	4 per 8 ounces except for Raspberries.	2 small or medium or long stems including only 1 long stem.			¼ sq. in. if measurable by area or 1 piece harmless extraneous material (such as weeds or grass) per 32 ounces.	------	----------	----------	----------	----------	----------	----------	4 units per 8 ounces.
	U. S. Grade B (28–33).	8 per 8 ounces except for Raspberries.	4 small or medium or long stems, including only 1 long stem.			¼ sq. in. if measurable by area or 1 piece harmless extraneous material (such as weeds or grass) per 32 ounces.	------	----------	----------	----------	----------	----------	----------	8 units per 8 ounces.

TABLE NO. III—ALLOWANCES FOR DEFECTS

Kind of preserves (or jams) Type I only	Grade and score range	Stems	Leaves	Caps or portions	Other extraneous material	Loose sepal-like bracts	Seeds, pits, or portions thereof	Peel	Blemished, underdeveloped, or other wise damaged
		Maximum allowances							
Damson plum, Greengage plum, Plum (others)	U. S. Grade A (34–40).	Total of 2 only per 16 ounces.	----------		1 only per 128 oz	----------	1 only per 32 oz	No limit	1 unit per 8 ounces.
	U. S. Grade B (28–33).	Total of 3 per 16 ounces.	----------		1 only per 32 oz	----------	1 only per 16 oz	No limit	2 units per 8 ounces.
Crabapple, Cranberry, Currant (other than Black), Currant, Red, Fig, Gooseberry, Grape	U. S. Grade A (34–40).	Total of 1 only per 32 ounces.	None		1 only per 200 oz	3 per 16 oz	3 seeds per 8 oz	1 sq. inch per 16 oz. in fruits prepared by peeling.	2 units per 8 oz. of net weight.
Grapefruit, Guava, Orange, Pear, Pineapple, Quince, Rhubarb, Tangerine, Tomato, Tomato, Yellow	U. S. Grade B (28–33).	Total of 1 only per 32 ounces.	None		1 only per 128 oz	5 per 16 oz	6 seeds per 8 oz	1 sq. inch per 8 oz. in fruits prepared by peeling.	4 units per 8 oz. of net weight.

(4) *Flavor.* (i) Fruit preserves (or jams) that possess a distinct and normal flavor may be given a score of 17 to 20 points. "Distinct and normal flavor" means that the product possesses a good distinct flavor characteristic of the fruit ingredient or fruit ingredients and is free from any caramelized flavor or any objectionable flavor of any kind.

(ii) If the fruit preserves (or jams) possess a reasonably good and normal flavor, a score of 14 to 16 points may be given. "Reasonably good and normal flavor" means that the product possesses a reasonably good flavor characteristic of the fruit ingredient or fruit ingredients and may possess a slightly caramelized flavor but is free from any bitter flavor or other objectionable flavor or off flavor of any kind.

(iii) Fruit preserves (or jams) that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(h) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of fruit preserves (or jams), the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample fall more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(i) *Score sheet for fruit preserves (or jams).*

Size and kind of container	
Container code or marking	
Label	
Net weight (in ounces)	
Vacuum (in inches)	
Type	
Kind (if known)	
Soluble solids (% by Refractometer)	

Factors	Score points	
I. Consistency	20	(A) 17–20 [1] (B) 14–16 (D) 0–13 [2]
II. Color	20	(A) 17–20 (B) 14–16 [2] (D) 0–13 [2]
III. Absence of defects	40	(A) 34–40 (B) 28–33 [2] (D) 0–27 [2]
IV. Flavor	20	(A) 17–20 (B) 14–16 (D) 0–13 [2]
Total score	100	
Grade		

[1] Special score credit for substantially whole, partially whole, or large pieces.
[2] Indicates limiting rule.

(j) *Effective time and supersedure.* The revised United States Standards for Grades of Fruit Preserves (or Jams), which are the second issue, contained in this section shall become effective thirty days after publication thereof in the FEDERAL REGISTER and shall thereupon supersede the standards that have been in effect since May 15, 1943. (Pub. Law 712, 80th Cong.)

Issued at Washington, D. C. this 7th day of February, 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49–1030; Filed, Feb. 10, 1949; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 52–1]

PART 52—REPAIR STATION RATING

FOREIGN REPAIR STATION CERTIFICATE AND RATING

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 3d day of February 1949.

The purpose of this amendment is to provide for the issuance of foreign repair station certificates outside of the United States where the Administrator finds that such agencies are needed for the maintenance, alteration, and repair of United States aircraft operated outside the United States.

The lack of repair agencies authorized to perform work on United States aircraft in certain areas outside the United States causes considerable inconvenience to aircraft owners, pilots, and operators conducting international flight operations. The standards, privileges, and limitations contained in present Part 52 were designed principally to provide for the operation of approved repair stations in the United States, or by United States citizens outside of the United States in areas where a considerable number of United States certificated aircraft are being operated. However, there are other areas outside the United States where fewer United States aircraft are being operated and where it has not been economically feasible to establish such agencies which comply fully with the present requirements of Part 52.

In some of these areas there are foreign repair stations which are competent to make repairs and perform maintenance on certain types and classes of United States aircraft. Certification of foreign agencies to perform the kind of work for which they have demonstrated their competency will expedite the maintenance, repair, and return to service of United States aircraft in accordance with our airworthiness standards in those areas where regularly certificated repair stations are not presently available. Such stations will not be approved in areas where United States stations are operated or in any other area unless the Administrator finds that the agency is needed for the maintenance, alteration, and repair of United States aircraft.

This amendment will permit the Administrator to issue specialized ratings to foreign nationals, limiting the scope and type of work to be accomplished with such ratings. It will also permit the use of foreign mechanics who do not hold mechanic certificates issued by the United States. Thus, aircraft operators will be afforded a means of having necessary aircraft maintenance and repairs accomplished in accordance with appropriate airworthiness standards so that flight may be continued without undue delay.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board, finding that this amendment is necessary in the interest of the public, amends Part 52 of the Civil Air Regulations (14 CFR, Part 52, as amended), effective March 10, 1949:

By adding a new § 52.38 to read as follows:

§ 52.38 *Foreign repair station certificate and ratings.* A foreign repair station certificate with appropriate ratings may be issued to a citizen of a foreign government subject to the following requirements:

(a) A repair station may be certificated only where it is necessary to provide for the maintenance, alteration, and repair of United States registered aircraft outside the United States.

(b) The applicant shall meet the requirements of this part, except that in lieu of complying with §§ 52.20, 52.42, and 52.43, the applicant shall:

(1) Have adequate personnel competent to perform or supervise the work for which the repair station is rated;

(2) Be required to maintain such records and make such reports with respect to United States registered aircraft as the Administrator finds necessary for the satisfactory administration of the privileges granted by this part.

(c) The certificate shall be limited to performance of work on aircraft which are used in operations conducted in whole or in part outside the United States and contain such operating specifications and limitations as the Administrator may prescribe to insure compliance with the applicable aircraft airworthiness requirements of the Civil Air Regulations.

(d) The certificate shall be of 6-month duration, unless sooner revoked, suspended, or terminated by a general order of the Board. (Secs. 1 (6), 205 (a), 601, 607, 52 Stat. 977, 984, 1007, 1011; Pub. Law 872, 80th Cong., 62 Stat. 1216; 49 U. S. C. 401 (6), 425 (a), 551, 557)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–1028; Filed, Feb. 10, 1949; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-404]

PART 180—RAYON, NYLON AND SILK CONVERTING INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 8th day of February 1949.

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of February 11, 1949.

Statement by the Commission. Trade practice rules for the rayon, nylon and silk converting industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

The industry comprises several hundred concerns, including integrated producers, who are engaged in business as converters of broad fabrics composed wholly of rayon, nylon, related synthetic fibers, or silk, and of broad fabrics in which any of these fibers, or combinations of such fibers, predominate. Such members of the industry, after having their fabrics dyed, printed, or finished, place them on the market for manufacture into wearing apparel and other textile products and also for resale through the distributing trades as piece goods. The annual volume of sales of the industry is approximately $500,000,000.

Protection of the industry, trade, and the public from unfair or harmful competitive practices is a primary objective of the rules. Accordingly, practices deemed to be unfair are listed and defined in the rules and provision made for their elimination. Other rules are likewise included which are designed to afford assistance in the conduct of business on a fair and ethical basis.

Trade practice conference proceedings under which the rules have been established were instituted upon application from members of the industry. A general industry conference was held in New York City at which proposals for rules were received and given consideration. Thereafter, a draft of proposed rules in appropriate form was made available by the Commission and public notice given whereby all interested or affected parties were afforded opportunity to present their views, including such pertinent information, suggestions, or objections as they desired to offer, and to be heard in the premises. Pursuant to the official notice, public hearing was held in New York City on October 7, 1948, and all matters presented, or otherwise received in the proceedings, were duly considered.

Following such hearing, and upon full consideration of the proceedings and due examination of all matters submitted, the Commission approved and received, respectively, the rules hereinafter appearing in Group I and Group II.

Such rules become operative thirty (30) days after promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

DEFINITIONS

The industry and its products. The products of the industry include textile fabrics known as broad goods which are composed wholly or predominantly of one or more of the following fibers: rayon, nylon, other man-made textile fibers, or silk.

Members of the industry are persons and concerns who operate as converters with respect to such fabrics, including so-called integrated producers. The business of the members is that of acquiring, by purchase or production, these fabrics in the grey, unfinished, or semi-finished state; having the goods dyed, printed, or finished in accordance with their own specifications or those of their customers; and marketing such finished or processed fabrics to "cutter-ups," to manufacturers of garments, or of other products, and to the distributing trades.

GROUP I

Sec.
180.0 General statement.
180.1 Misrepresentation of industry products.
180.2 Misbranding.
180.3 False invoicing.
180.4 Deception as to origin.
180.5 Identification and disclosure of fiber or material content.
180.6 Substitution of products.
180.7 Inducing breach of contract.
180.8 Commercial bribery.
180.9 Imitation of trade-marks, etc.
180.10 Defamation of competitors or disparagement of their products.
180.11 Fictitious price lists.
180.12 Use of lottery schemes.
180.13 Prohibited discrimination in terms of purchase and sale.
180.14 Unlawful combinations in restraint of trade.
180.15 Consignment distribution or delivery "on memorandum".
180.16 Aiding or abetting use of unfair trade practices.

GROUP II

180.100 General statement.
180.101 Saturday and Sunday closings.
180.102 Repudiation of contracts.
180.103 Use of written sales contracts.
180.104 Use of samples.
180.105 Arbitration of disputes.
180.106 Registration of original and novel designs.
180.107 Use of uniform standards for examination of finished piece goods.

AUTHORITY: §§ 180.0 to 180.107 issued under sec. 6 (g), 38 Stat. 722; 15 U. S. C. 46 (g).

GROUP I

§ 180.0 *General statement.* The unfair trade practices embraced in §§ 180.0 to 180.16, are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 180.1 *Misrepresentation of industry products.* It is an unfair trade practice to make or publish, or cause to be made or published, directly or indirectly, any false, misleading, or deceptive statement or representation, by way of advertisement or otherwise, concerning the grade, quality, freedom from defects or imperfections, quantity, use, size, material, content, thread count, origin, shrinkage properties, colorfastness, washability, production, manufacture, or distribution of any product of the industry or concerning any component of such product, or in any other material respect. [Rule 1]

§ 180.2 *Misbranding.* The false or deceptive labeling, marking, or branding of fabrics or products of the industry in any manner which is false, misleading, or deceptive in respect to the grade, quality, freedom from defects or imperfections, quantity, use, size, material, content, thread count, origin, shrinkage properties, colorfastness, washability, production, manufacture, or distribution of such products, or in any other material respect, is an unfair trade practice. [Rule 2]

§ 180.3 *False invoicing.* Withholding from or inserting in invoices any statement or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 3]

§ 180.4 *Deception as to origin.* With respect to any fabrics of the following types: (1) Fabrics which have been woven or fabricated in a foreign country and imported in the grey or other unfinished state and dyed or finished in the United States; and (2) fabrics which have been imported in the finished state and dyed, redyed, or refinished in the United States; is an unfair trade practice:

(a) To offer for sale, sell, or distribute any such fabrics under marks, stamps, brands, labels, or representations which have the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public into the belief (1) that such fabrics were woven or fabricated in the United States when such is not the fact; or (2) that they were dyed, finished, redyed, or refinished elsewhere than in the United States when such is not true; or

(b) To offer for sale, sell, or distribute any such fabrics without the same being

marked, stamped, branded, or labeled so as to indicate clearly and nondeceptively (1) the country of origin of the fabrics, and (2) that such fabrics were woven or fabricated in said country and were dyed or finished or redyed or refinished in the United States, as the case may be, the failure, refusal, or omission so to mark, stamp, brand, or label such fabrics having the tendency and capacity or result of thereby promoting, abetting, or effectuating the marketing of such products under conditions which are misleading or deceptive to purchasers, prospective purchasers, or the consuming public. (Nothing in this section shall be construed as relieving any member of the industry or other party of the necessity of complying with requirements of the customs laws or regulations, or other applicable provisions of law or regulations relating to the marking of imported articles.) [Rule 4]

§ 180.5 *Identification and disclosure of fiber or material content.* (a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to misrepresent or deceptively conceal the fiber or material content of any such product.

(b) Fabrics containing rayon, silk, or linen shall be identified as to their fiber and material content in labels, invoices, and advertisements, in accordance with the requirements of trade practice rules heretofore promulgated by the Commission for the Rayon Industry, Linen Industry, and Silk Industry: *Provided,* That products containing, purporting to contain, or in any way represented as containing, wool, reprocessed wool, or reused wool, shall be labeled in accordance with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations issued thereunder.

NOTE: A copy of the above-mentioned trade practice rules, and of the Wool Products Labeling Act of 1939 and the rules and regulations issued thereunder, may be obtained from the Commission by any industry member making request therefor.

[Rule 5]

§ 180.6 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitutions and with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 6]

§ 180.7 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 7]

§ 180.8 *Commercial bribery.* It is an unfair trade practice for a member of the industry directly or indirectly to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 8]

§ 180.9 *Imitation of trade-marks, etc.* The practice of imitating or causing to be imitated, or directly or indirectly promoting or aiding the imitation of, the trade-marks, trade names, other exclusively owned symbols or marks of identification of competitors, or the exclusively owned patterns of competitors which have not been directly, or by operation of law, dedicated to the public, having the capacity, tendency, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 9]

§ 180.10 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade, quality, or manufacture of the products of competitors, or of their business methods, selling prices, values, credit terms, policies, services, or conditions of employment, is an unfair trade practice. [Rule 10]

§ 180.11 *Fictitious price lists.* The publishing or circulating by any member of the industry of false or misleading price quotations, price lists, terms or conditions of sale, or reports as to production or sales, with the tendency and capacity or effect of misleading or deceiving purchasers, prospective purchasers, suppliers, or the consuming public, is an unfair trade practice. [Rule 11]

§ 180.12 *Use of lottery schemes.* The offering or giving of prizes, premiums, or gifts in connection with the sale of industry products, or as an inducement thereto, by any scheme which involves lottery or scheme of chance, is an unfair trade practice. [Rule 12]

§ 180.13 *Prohibited discrimination in terms of purchase and sale*—(a) *Prohibited discriminatory prices, or discounts, rebates, refunds, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, directly or indirectly, secretly or openly, any discount, rebate, refund, credit, or other price differential in the guise of transportation costs or of samples or otherwise, where such discount, rebate, refund, credit, or price differential effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce [1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination or with customers of either of them: *Provided, however,*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce [1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade, practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein, where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce [1] to pay or

[1] As used throughout this section, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular posessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member, in the course of such commerce, as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Prohibited discriminatory returns.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to discriminate in favor of one customer-purchaser against another customer-purchaser of fabrics, bought from such member of the industry for resale, by contracting to furnish or furnishing in connection therewith, upon terms not accorded to all competing customer-purchasers on proportionally equal terms, the service or facility whereby such favored purchaser is accorded the privilege of returning all or part of the fabric so purchased and receiving therefor credit or refund of purchase price: *Provided, however,* Nothing in any of the sections herein shall prohibit or be used to prevent the return of merchandise by purchaser, for credit or refund of purchase price, when and because such merchandise has been falsely or deceptively labeled or represented, or when and because such merchandise is defective in material, workmanship, or in other respect is contrary to guarantee, warranty, or purchase contract.

(g) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. [Rule 13]

§ 180.14 *Unlawful combinations in restraint of trade.* It is an unfair trade practice for a member of the industry, or other person, engaged in commerce:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person unlawfully to fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part, directly or indirectly, in any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, unlawfully to fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 14]

§ 180.15 *Consignment distribution or delivery "on memorandum".* It is an unfair trade practice for any member of the industry to employ the practice of shipping goods on consignment, pretended consignment, or for delivery "on memorandum":

(a) When such practice is so used, or the terms and conditions thereof so varied or arranged, as to effectuate a discrimination contrary to the provisions of § 180.13; or

(b) When such consignment, pretended consignment, or delivery "on memorandum", is used for the purpose and with the effect of artificially clogging trade outlets and unduly restricting competitors' use of said outlets in getting their products to purchasers or consumers through regular channels of distribution, and thereby injuring, destroying, or preventing competition, tending to create a monopoly, or unreasonably restraining trade.

Nothing in this section shall be construed as restricting or preventing consignment shipping, or marketing "on memorandum", when carried out in good faith and without illegal discrimination, suppression of competition, or undue interference with competitors' use of the usual channels of distribution. [Rule 15]

§ 180.16 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in §§ 180.0 to 180.16. [Rule 16]

GROUP II

§ 180.100 *General statement.* Compliance with trade practice provisions embraced in §§ 180.100 to 180.107 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such sections does not per se constitute violation of law. Where, however, the practice of not complying with §§ 180.100 to 180.107 is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of §§ 180.0 to 180.16.

§ 180.101 *Saturday and Sunday closings.* In the interest of the public and of itself, the industry urges all members of the industry to adhere to the practice of not opening their sales offices on Saturdays and Sundays for the transaction of business. [Rule A]

§ 180.102 *Repudiation of contracts.* Lawful contracts are business obligations which should be performed in letter and in spirit. The repudiation of contracts by sellers on a rising market or by buyers on a declining market is condemned by the industry. [Rule B]

§ 180.103 *Use of written sales contracts.* In order to avoid ambiguity and misunderstanding between buyers and sellers, all purchases and sales of products of the industry, exceeding one piece, regardless of the total value thereof, should be made by written contract, signed by the buyer and seller. Such written contract should set forth the actual terms and conditions of the sale involved.

Wherever practicable, the delivery of all merchandise of any quantity should be made against a written receipt signed by the purchaser, or a qualified agent or employee of the purchaser.

The provisions herein shall not be construed as sanctioning or approving any agreement among competitors or any planned common course of action among competitors to agree upon or to fix, specify, or determine the prices, discounts, terms, or conditions of sale to be covered in any sales contract or transaction, but these shall be open to individual negotiation between the seller and buyer, subject to the requirements of §§ 108.0 to 108.16 and applicable provisions of law. [Rule C]

§ 180.104 *Use of samples.* The industry disapproves the giving of samples without charge except in sufficient quantity necessary to acquaint purchasers or prospective purchasers with the grade or quality of the product offered for sale. However, the furnishing of any samples shall not be carried out in a manner involving discrimination contrary to the provisions of § 180.13. [Rule D]

§ 180.105 *Arbitration of disputes.* The industry approves and recommends the use of commercial arbitration for the speedy and efficient disposition of disputes arising out of the sale, processing, or distribution of the industry's fabrics. [Rule E]

§ 180.106 *Registration of original and novel designs.* The industry recommends that all members should register their original and novel designs, not directly or by operation of law dedicated to the public, with an accepted industry design registration bureau to the end that unauthorized copying of designs and the resultant confusion and misunderstanding be eliminated and appropriate information as to designs in use be fully available to the industry. [Rule F]

§ 180.107 *Use of uniform standards for examination of finished piece goods.* For the visual examination of finished piece goods, the industry recommends that uniform standards, which are equitable as between buyer and seller and fair to the trade and purchasing public, be used in the settlement of disputes concerning the quality of the industry's

[1] See footnote on p. 625.

goods. Nothing herein, however, shall be construed as warranting classification of any fabric of the industry as a "first" when not fully qualified for such designation; and in this connection industry members recognize it as their obligation to in no wise contribute to any misrepresentation or deception as to grade, quality, or otherwise, in the further marketing of the fabric or products made therefrom. [Rule G]

Promulgated and issued by the Federal Trade Commission February 11, 1949.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-1035; Filed, Feb. 10, 1949; 8:56 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg.,[1] Amdt. 65]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule B is amended by incorporating Item 42 as follows:

42. Provisions relating to Lee County, Mississippi, a portion of the the Columbus, Mississippi, Defense-Rental Area.

Decontrol Based Upon the Recommendation of the Local Advisory Board. The application of §§ 825.1 to 825.12 is terminated in all of Lee County, Mississippi, except the City of Tupelo in said County, a portion of the Columbus, Mississippi, Defense-Rental Area.

2. Schedule A, item 164, is amended to describe the counties in the Defense-Rental Area as follows:

Clay County, and the City of Tupelo in Lee County.
Lowndes.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective February 11, 1949.

Issued this 8th day of February 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 65 to the Controlled Housing Rent Regulation

The Local Advisory Board for the Columbus, Mississippi, Defense-Rental Area, has, in accordance with section 204 (e) (1) (A) of the Housing and Rent Act of 1947, as amended, recommended the decontrol of all of Lee County, Mississippi, except the City of Tupelo, a portion of the Columbus, Mississippi, Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and in accordance with applicable law and regulations and he is, therefore, issuing this amendment to effectuate the recommendation.

[F. R. Doc. 49-1045; Filed, Feb. 10, 1949; 8:57 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 63]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATIONS FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule B is amended by incorporating Item 43 as follows:

43. Provisions relating to Lee County, Mississippi, a portion of the Columbus, Mississippi, Defense-Rental Area.

Decontrol Based Upon the Recommendation of the Local Advisory Board. The application of §§ 825.81 to 825.92 is terminated in all of Lee County, Mississippi, except the City of Tupelo in said County, a portion of the Columbus, Mississippi, Defense-Rental Area.

2. Schedule A, item 164, is amended to describe the counties in the Defense-Rental Area as follows:

Clay County, and the City of Tupelo in Lee County.
Lowndes.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective February 11, 1949.

Issued this 8th day of February 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 63 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

The Local Advisory Board for the Columbus, Mississippi, Defense-Rental Area, has, in accordance with section 204 (e) (1) (A) of the Housing and Rent Act of 1947, as amended, recommended the decontrol of all of Lee County, Mississippi, except the City of Tupelo, a portion of the Columbus, Mississippi, Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and in accordance with applicable law and regulations and he is, therefore, issuing this amendment to effectuate the recommendation.

[F. R. Doc. 49-1046; Filed, Feb. 10, 1949; 9:00 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 319]

NURSERY STOCK, PLANT, AND SEED QUARANTINE

NOTICE OF PROPOSED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM REQUIREMENTS

Notice is hereby given under section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Chief of the Bureau of Entomology and Plant Quarantine is considering the issuance of administrative instructions as authorized in the first proviso of Nursery Stock, Plant, and Seed Quarantine No. 37 (7 CFR 319.37 (a), 13 F. R. 4267) to exempt certain articles from the requirements of certain regulations supplemental to that quarantine, as follows:

Restricted plant material (except Aglaonema) for food, analytical, medicinal, or manufacturing purposes, enterable under § 319.37-2, is to be exempt from the notice of arrival requirements of § 319.37-11 of said regulations.

All grains and cereals from Canada which are restricted plant material enterable under § 319.37-2 are to be exempt from the provisions of §§ 319.37-7, 319.37-8, 319.37-9, 319.37-11, 319.37-15, and 319.37-16 of said regulations, relating respectively to costs and charges, inspection, treatment, notice of arrival, freedom from soil, and approved packing materials.

The purpose of these instructions will be to permit the importation of the above-specified articles without compliance with certain requirements and conditions that are unnecessary insofar as entry of these types of plant material is concerned. Waiver of the notice of arrival requirements of § 319.37-11 of the regulations relating to importations for food, analytical, medicinal, or manufacturing purposes is feasible because equivalent information can be obtained from other available documents. Also, existing conditions as to the pest risk involved in the

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456.

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328, 8388; 14 F. R. 18, 272, 337, 457.

importation of grains and cereals from Canada make it safe to relieve the above specified requirements now applying to them.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 10 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 5, 37 Stat. 316; 7 U. S. C. 159; 7 CFR 319.37 (a), 13 F. R. 4267)

Done at Washington, D. C., this 1st day of February 1949.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 49-1029; Filed, Feb. 10, 1949; 8:45 a. m.]

Production and Marketing Administration

[P. & S. Docket No. 311]

MARKET AGENCIES AT KANSAS CITY STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION OF RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on March 8, 1948 (7 A. D. 198) authorizing respondents' current temporary rates and charges.

On February 1, 1949, respondents filed a petition requesting authority to put certain temporary proposed rates into effect. The proposed rates which are set out below are found in a proposed tariff No. 9 which is attached to the petition filed on February 1, 1949.

SELLING CHARGES

The rate for selling cattle, calves, hogs, bulls, sheep and goats with the exception of resales, shall be as follows:

CATTLE

Consignments of 1 head and 1 head only	$1.20
Consignments of more than 1 head:	
First 5 in each consignment	1.00
Next 10 in each consignment	.95
Each head over 15 in each consignment	.85

BULLS

Weighing 700 pounds or over	1.50
Crips-post-mortem—T. B. and Bangs	1.50

CALVES

Consignments of 1 head and 1 head only	.65
Consignments of more than 1 head:	
First 5 in each consignment	.55
Next 10 in each consignment	.45
Each head over 15 in each consignment	.40

In no instance shall the charge for either the selling or buying of rail cattle exceed an amount equal to $32.50 times the number of single-decks in the consignment (car and trailer to be considered as two cars).

SELLING CHARGES—Continued

HOGS

Consignment of 1 head and 1 head only	$0.50
Consignments of more than 1 head:	
First 10 in each consignment	.40
Next 15 in each consignment	.32
Each head over 25 in each consignment	.27

The charge on any one consignment arriving by rail shall not exceed an amount equal to $25.00 multiplied by the number of single-deck cars in the consignment plus an amount equal to $35.00 multiplied by the number of double-deck cars in the consignment.

Crips and post-mortems	$0.50

SHEEP AND GOATS

Consignments of 1 head and 1 head only	.50
Consignments of more than 1 head:	
First 10 in each 250 head in each consignment	.35
Next 10 in each 250 head in each consignment	.30
Next 30 in each 250 head in each consignment	.25
Next 50 in each 250 head in each consignment	.15
Next 150 in each 250 head in each consignment	.07
Crips and post-mortems	.50

The charge on a consignment arriving by rail shall not exceed an amount equal to $20.00 multiplied by the number of single-deck cars in the consignment plus an amount equal to $30.00 multiplied by the number of double-deck cars in that consignment.

RESALES

Livestock purchased on this market by registered traders, or market agencies and not having been removed from the market, will be resold for the account of the purchaser as follows:

Consignments of a single head:	
Cattle	$0.75
Calves	.50
Hogs, sheep or goats	.45
Consignments of more than 1 head:	
Cattle	.60
Calves	.30
Hogs, sheep and goats	.20
Bulls	1.00

NOTE: Hogs may be fed on the Kansas City Stock Yards Company property in Kansas or Missouri. The charge for selling livestock coming within the definition of this item, shall in no instance exceed the charges for selling a like species.

EXTRA SERVICE CHARGES

Checks and drafts, when necessary or requested:	
For each check over one drawn in favor of an owner in payment for his livestock	$0.05
For each check over one drawn in favor of a trucker in payment for charges due him for transportation of livestock	.05
For each deposit or bank credit over one made for an owner in payment for his livestock	.05
For each copy of account of sale over one necessary or furnished an owner of livestock at his request	.05

Drafts. In those cases where more than three drafts are necessary or requested, a charge of 25 cents per draft for each draft in a consignment in excess of three on any one consignment, shall be made.

Example. Charges for extra draft—one owner sends in:

Cattle weighed in 2 drafts—no extra charge.

Calves weighed in 3 drafts—no extra charge.

EXTRA SERVICE CHARGES—Continued

Hogs weighed in 4 drafts—25 cents extra charge.

Sheep weighed in 4 drafts—25 cents extra charge.

All on one account sales; all one owner.

Livestock entered in the American royal livestock show or livestock sold at designated sales. In addition to the regular charges the following charges will be made on all entries of livestock:

	Per car
Fat cattle	$15.00
Stockers and feeders	15.00
Hogs	10.00
Sheep	10.00

	Per head
Each single head regardless of species	$0.50
For each group under car-lot	.50

A car-lot is a lot of not less than 15 fat cattle, or 20 feeder cattle or 25 hogs or 50 sheep.

APPLICATION OF BUYING CHARGES

The rates for buying livestock shall be the same as the rates for selling (like species) except as follows:

1. When livestock bought by the purchaser himself from other firms is paid for by a livestock commission firm, the regular buying commission shall be charged the buyer.

2. When livestock bought by the purchaser himself from other firms is picked up and/or billed out or any other assistants, except payment, is rendered in the purchase of the livestock, by a live stock commission firm, one half of the regular commission shall be charged to the buyer.

3. When livestock consigned to a commission firm for sale is sold to a buyer who requests that the services necessary prior to shipping out or trucking out be performed by the commission firm, one fourth the regular commission shall be charged to the buyer.

NOTE: The extra draft charges applicable to the sale of livestock shall not apply to bought livestock.

4. When necessary to purchase and piek up a car from more than two agencies 50 cents per additional agency over two—maximum additional charge $3.00.

MISCELLANEOUS CHARGES

Hog inspection:
- Straight cars: $0.20 per car.
- Mixed cars: 1 cent per head not to exceed 20 cents.
- Other than rail: 1 cent per head with a maximum charge of 20 cents up to 65 head.

Live stock insurance against fire, mixes and other damages—while livestock is on the premises of the Kansas City Stock Yards Company: 7 cents per car load of rail shipments of all livestock (horses and mules excepted). On drive-in livestock: There shall be collected from the consignor at the rate of 1 cent per head on all drive-ins of cattle, calves, bulls, hogs and sheep, of not more than 35 cattle, calves or bulls, and 60 hogs and 120 sheep or goats.

DEDUCTIONS MADE BY REQUEST

National Livestock and Meat Board: For the promotion of meat and meat products and their consumption, there will be deducted from the proceeds of sale of all livestock received and sold on the Kansas City Market the following:

On rail livestock: 25 cents per load of cattle, calves, bulls, hogs and sheep.

Other than rail:
- Cattle: 1 cent per head no maximum.
- Calves: 1 cent per head for each 3 head or less no maximum.
- Hogs: 1 cent per head for each 3 up to 125 head.
- Sheep: 1 cent for each 5 head or less, up to 125 head and over 300 same.

Upon request within 60 days this amount will be refunded.

Brand inspection charges (collected at the request of the Texas Southwestern Cattle Raisers Association, Incorporated.)

The sum of 5 cents per head shall be deducted from the proceeds of all cattle originating in or shipped from the State of Texas for the purpose of determining ownership of all such cattle.

The rates petitioned for, if authorized, will provide additional revenue for the respondents so that it appears that public notice of the filing of the petition should be given in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of the petition for increases in the temporary rates currently in effect.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 7th day of February 1949.

[SEAL] PRESTON RICHARDS,
Acting Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 49-1047; Filed, Feb. 10, 1949; 9:00 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 3500]

NATIONAL AIRLINES, INC.; NATIONAL ROUTE TRANSFER INVESTIGATION

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the investigation of the transfers of the routes and properties of National Airlines, Inc.

Notice is hereby given that hearing in the above-entitled proceeding now assigned for February 14, 1949, is postponed to Monday, March 7, 1949, at 10:00 a. m. (e. s. t.) in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th Street and 14th Street, Washington, D. C., before Chief Examiner Francis W. Brown and Examiner James S. Keith.

Dated at Washington, D. C., February 8, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-1036; Filed, Feb. 10, 1949; 8:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8062, 8116, 9213-9215]

CRESCENT BAY BROADCASTING CO. ET AL.

ORDER CONTINUING HEARING

In re applications of Crescent Bay Broadcasting Company, Santa Monica, California, Docket No. 8062, File No. BP-5589; Balboa Radio Corporation (KLIK), San Diego, California, Docket No. 8116, File No. BP-5622; Oceanside Broadcasting Company, Oceanside, California, Docket No. 9213, File No. BP-5772; Centinela Valley Broadcasting Company, Inglewood, California, Docket No. 9214, File No. BP-6176; Bethasda Camp Meeting Grounds, Inc., Anaheim, California, Docket No. 9215, File No. BP-6720; for construction permits.

The Commission having under consideration a petition filed January 18, 1949, by Centinela Valley Broadcasting Company, Inglewood, California, requesting a continuance in the hearing presently scheduled for January 31, 1949, at San Diego, California, upon the above-entitled applications for construction permits;

It is ordered, This 25th day of January 1949, that the petition be granted; and that the hearing upon the above-entitled applications be continued to 10:00 a. m., Wednesday, March 9, 1949, at San Diego, California, Thursday, March 10, 1949, at Oceanside, California, Friday, March 11, 1949, at Santa Monica, California, Monday, March 14, 1949, at Anaheim, California, and Tuesday, March 15, 1949, at Inglewood, California.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1048; Filed, Feb. 10, 1949; 9:00 a. m.]

[Docket No. 8111]

WILLIAM H. BLOCK CO. (WUTV)

ORDER SCHEDULING HEARING

In re application of The William H. Block Company (WUTV), Indianapolis, Indiana, Docket No. 8111, File No. BMPCT-364; for additional time in which to complete construction of TV station WUTV, Indianapolis, Indiana.

The Commission having, on December 8, 1948, designated the above-entitled application for hearing; and

It appearing, that the public interest, convenience and necessity would be served by an early hearing thereon;

It is ordered, This 4th day of February 1949, on the Commission's own motion, that the hearing upon the above-entitled application be scheduled for 10:00 a. m., Monday, March 21, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1053; Filed, Feb. 10, 1949; 9:01 a. m.]

[Docket No. 8409]

PARISH BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Parish Broadcasting Company, Minden, Louisiana, Docket No. 8409, File No. BP-5749; for construction permit.

The Commission having under consideration a petition filed January 31, 1949, by Parish Broadcasting Company, Minden, Louisiana, requesting an indefinite continuance in the hearing presently scheduled for February 10, 1949, upon its above-entitled application for construction permit;

It is ordered, This 4th day of February 1949, that the petition be granted; and that the hearing upon the above-entitled application be continued until further notice.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1050; Filed, Feb. 10, 1949; 9:00 a. m.]

[Docket No. 8688]

PORTORICAN AMERICAN BROADCASTING CO., INC. (WPAB)

ORDER CONTINUING HEARING

In re application of Portorican American Broadcasting Company, Inc. (WPAB), Ponce, Puerto Rico, Docket No. 8688, File No. BR-1082; for renewal of license.

The Commission having scheduled a hearing upon the above-entitled application for February 21, 1949, at Ponce, Puerto Rico; and

It appearing, that the public interest, convenience and necessity would be served by continuing the said hearing;

It is ordered, This 4th day of February 1949, on the Commission's own motion, that the hearing upon the above-entitled application be continued to 10:00 a. m., Tuesday, March 1, 1949, at Ponce, Puerto Rico.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1051; Filed, Feb. 10, 1949; 9:00 a. m.]

[Docket No. 8716]

GREENWICH BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Greenwich Broadcasting Corporation, Greenwich, Connecticut, Docket No. 8716, File No. BP-6315; for construction permit.

The Commission having under consideration a petition filed February 2, 1949, by Greenwich Broadcasting Corporation, Greenwich, Connecticut, requesting a continuance in the hearing presently scheduled for February 10, 1949, upon its above-entitled application for construction permit;

It is ordered, This 4th day of February 1949, that the petition be granted; and that the hearing upon the above-entitled application be continued to 10:00 a. m., Tuesday, March 1, 1949, at Greenwich, Connecticut.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1049; Filed, Feb. 10, 1949; 9:00 a. m.]

[Docket No. 9162]

WIBS

ORDER CONTINUING HEARING

In the matter of revocation of license of Station WIBS, Santurce, Puerto Rico, Docket No. 9162.

The Commission having scheduled a hearing upon the above-entitled matter for February 24, 1949, at Santurce, Puerto Rico; and

It appearing, that the public interest, convenience and necessity would be served by continuing the said hearing;

It is ordered, This 4th day of February 1949, on the Commission's own motion, that the hearing upon the above-entitled matter be continued to 10:00 a. m., Thursday, March 3, 1949, at Santurce, Puerto Rico.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1052; Filed, Feb. 10, 1949; 9:00 a. m.]

[Docket No. 9170]

MAISON BLANCHE CO. (WRTV)

ORDER SCHEDULING HEARING

In re application of Maison Blanche Company (WRTV), New Orleans, Louisiana, Docket No. 9170, File No. BMPCT-318; for additional time in which to complete construction of TV Station WRTV, New Orleans, Louisiana.

The Commission having, on October 21, 1948, designated the above-entitled application for hearing; and

It appearing, that the public interest, convenience and necessity would be served by an early hearing thereon;

It is ordered, This 4th day of February 1949, on the Commission's own motion, that the hearing upon the above-entitled application be scheduled for 10:00 a. m., Monday, March 28, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1054; Filed, Feb. 10, 1949; 9:01 a. m.]

NONBROADCAST RADIO SERVICES

PROCEDURE FOR ASSIGNING NEW CALL SIGNS

FEBRUARY 2, 1949.

Since the adoption of the revised Part 2 of the Federal Communications Commission rules and regulations, "Rules Governing Frequency Allocations and Radio Treaty Matter", numerous inquiries concerning the new system of call signs, as well as the new service classifications and terminologies, have been received. It is the purpose of this public notice to inform all concerned as to the procedure to be followed in making the changeover required by the new rules in compliance with agreements reached at the International Telecommunication and Radio Conferences, Atlantic City, 1947.

Radio stations classified in Part 2 as broadcasting stations (except auxiliaries) are not involved except as to matters of terminology used in authorizations. Amateur stations, coast stations (except for coastal telephone stations in the Territory of Alaska), and ship stations (already changed over) will likewise be affected only as to matters of terminology in their licenses.

Policies in assigning calls to broadcasting stations will be those heretofore in effect.

The requirements of Part 2 will be put into effect insofar as call signs and matters of terminology are concerned as follows:

New stations, other than those excepted above. Beginning on February 1, 1949, all authorizations will be written so as to conform to Part 2 of the rules and regulations and calls will be assigned from the new series.

Existing stations, other than those excepted above. Beginning as soon as administratively practicable and continuing for the next 18 months, all new, renewed or modified licenses will be written to conform to Part 2. This will include the assignment of new calls where required. At the end of the 18-month period the remaining authorizations will be acted on as rapidly as administratively feasible until the conversion is complete.

In this process the Commission will assign call signals on a strict sequence basis. No calls can be reserved, and no consideration can be given to requests for particular calls.

In order to permit proper adjustments to be made, the newly assigned calls will not be required to be used until 30 days after the date of the authorization assigning the new call. After the expiration of that period the new call must be substituted.

The revised Part 2 of the rules and regulations appeared in the FEDERAL REGISTER of December 21, 1948. Copies will not be available elsewhere until a supply can be printed, which will be from 60 to 90 days. Public announcement will be made when the part can be obtained from the Superintendent of Documents.

Licensees and others are requested not to make inquiries about the conversion process. The many thousands of stations involved will throw an additional workload on an already overloaded staff, and inquiries will only delay the completion of the job.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1055; Filed, Feb. 10, 1949; 9:01 a. m.]

[Change List 47]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JANUARY 25, 1949.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting agreement engineering meeting, January 30, 1941.

CANADA

Call letters	Location	Power	Radiation	Class	Probable date to commence operation
CKEY	Toronto, Ontario	580 kilocycles, 1 kw; 5 kw.—LS.	DA-2	III-B	Now in operation with DA-2.
CJAD	Montreal, Quebec	800 kilocycles, 5 kw	DA-1	II	Now in operation with 5 kw.
CFHR	Hay River, Northwest Territory.	1,230 kilocycles (assignment of call letters)			
CFHR	do	100 w. (assignment of call letters).		IV	Now in operation.
CKRD	Red Deer, Alberta				
CFNW	Norman Wells, NW Territory.	1,240 kilocycles (assignment of call letters) 100 w.		IV	Do.
CFNW	do				
New	Nanaimo, British Columbia	1,570 kilocycles 250 w. (assignment of call letters).		II	10-1-49.
CHUB	do				

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1056; Filed, Feb. 10, 1949; 9:01 a. m.]

WRLD AND WRLD-FM

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE [1]

The Commission hereby gives notice that on January 27, 1949 there was filed with it an application (BAL-827) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of stations WRLD and WRLD-FM, West Point, Georgia from L. J. Duncan, L. A. Duncan and J. Rawls, d/b as Valley Broadcasting Company to Valley Broadcasting Co., Inc. The proposal to assign the license arises out of a contract of January 14, 1949 pursuant to which the assignor will assign certain physical equipment and other assets of stations WRLD and WRLD-FM and the licenses for the respective stations to the Valley Broadcasting Co., Inc. for a total consideration of $67,000. Two thousand five hundred dollars ($2,500) has been paid on account and the balance of $64,500 is to be paid as follows: $29,500 in cash upon Commission consent to the assignment; and the balance of $35,000 is payable in ten semi-annual payments of $3,500 each plus interest at the rate of 5% per annum, said payments to be secured by mortgage on all physical assets conveyed. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on January 27, 1949 that starting on January 28, 1949 notice of the filing of the application would be inserted in LaGrange Daily News, a newspaper of general circulation at West Point, Georgia, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from January 28, 1949 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1057; Filed, Feb. 10, 1949; 9:01 a. m.]

DOWLANDER BROADCASTING CO.

PUBLIC NOTICE CONCERNING THE PROPOSED ASSIGNMENT OF LICENSE [1]

The Commission hereby gives notice that on December 10, 1948, there was filed with it an application (BAL-823) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of R. A. Dowling, Jr. and Owens F. Alexander, d/b as Dowlander Broadcasting Company, licensee of WOOF, Dothan, Alabama to R. A. Dowling, Jr., d/b as Dowlander Broadcasting Company. The proposal to assign the license arises out of a bill of sale of December 7, 1948, pursuant to which Owens F. Alexander, the retiring partner, proposes to sell his one-half interest in Dowlander Broadcasting Company for $2,500 to R. A. Dowling, Jr. The purchaser agrees to assume all liabilities of the licensee partnership. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on January 25, 1949, notice of the filing of the application would be inserted in the Dothan Eagle, a newspaper of general circulation at Dothan, Alabama, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from January 25, 1949, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-1058; Filed, Feb. 10, 1949; 9:01 a. m.]

[1] Section 1.321, Part 1, Rules of Practice and Procedure.

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-126, 59-76, 70-2039]

EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF FILING, ORDER FOR CONSOLIDATION, AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 4th day of February 1949.

Eastern Gas and Fuel Associates ("Eastern") having heretofore filed with this Commission a Notification of Registration as a holding company under the Public Utility Holding Company Act of 1935 ("the act") which purports to limit such registration to sections 4 and 5 (other than section 5 (b)) and the provisions of section 11 (b) (2), and only to the extent necessary to implement section 11 (b) (2), the provisions of sections 11 (c), (d), (e), (f) and (g) and of sections 6 and 7; and Eastern having heretofore filed a plan of recapitalization (File No. 54-126) pursuant to section 11 (e) designed to effect compliance with section 11 (b) (2) and the proceedings on said plan having been consolidated with proceedings instituted under section 11 (b) (2) with respect to Eastern and its subsidiaries (File No. 59-76);

Notice is hereby given that Eastern has filed a declaration with this Commission pursuant to the act. The declarant has designated section 7 of the act, to the extent necessary to implement compliance with the provisions of section 11 (b) (2), and Rules U-20 to 24 inclusive and Rule U-50, as being applicable to the proposed transactions.

All interested parties are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Eastern proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $12,000,000 principal amount of its First Mortgage and Collateral Trust Bonds ____% Series due March 1, 1974, dated as of March 1, 1949, and to be issued pursuant to and secured by Eastern's present Indenture dated as of July 1, 1945, and a Supplemental Indenture to be dated as of March 1, 1949. The interest rate on said bonds and the price to be received by Eastern (said price to be not less than 100% nor more than 102¾% of the principal amount of the bonds) are to be determined by the competitive bidding. Under the sinking fund provisions applicable to the proposed new bonds 100% of the issue would be retired at or before maturity.

The filing states that Eastern and its subsidiaries are engaged in an extensive construction program, which has required and will require substantial expenditures. Of the bonds to be sold, about $5,400,000 thereof are to be issued on the basis of the certification to the indenture trustee of existing property additions constructed or acquired since January 1, 1945, and represent 60% of such property additions. The balance of approximately $6,600,000 of the proceeds from the sale of the bonds will be deposited with the indenture trustee to be drawn down from time to time against the certification of additional net property additions. Eastern anticipates that a substantial amount of the cash so deposited will be drawn down during 1949 and the balance of the cash during 1950.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters set forth in said declaration, and that said declaration shall not be permitted to become effective except pursuant to further order of the Commission; and

It appearing to the Commission that the consolidated proceedings in respect of the plan of recapitalization of Eastern and of the section 11 (b) (2) proceeding regarding Eastern and its subsidiaries (File Nos. 54-126, 59-76) may involve common questions of law and fact with the proceedings in respect of the instant declaration and that such proceedings should be consolidated;

It is ordered, That the proceedings in the matter of Eastern Gas and Fuel Associates, File Nos. 54-126, 59-76, be, and they hereby are, consolidated with the

above-entitled proceedings (File No. 70-2039).

It is further ordered, That a hearing on said declaration, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be held in said consolidated proceedings on February 24, 1949, at 10 a. m., e. s. t., at the offices of this Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing shall be held.

Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission, on or before February 21, 1949 a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the declaration and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the proposed issue and sale of the new bonds meet the requirements of section 7 of the act.

2. Whether the fees, commissions and other remuneration to be paid in connection with the proposed issue and sale of bonds are for necessary services and are reasonable in amount.

3. Whether the accounting entries to be recorded in connection with the proposed issue and sale of bonds are proper and conform with sound accounting principles and meet the standards of the act.

4. What terms or conditions, if any, with respect to the proposed issue and sale of bonds should be prescribed in the public interest or for the protection of investors and consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the declarant, the Massachusetts Department of Public Utilities, and on all persons who have appeared or been granted leave to be heard in respect of the plan of recapitalization of Eastern (File Nos. 54-126, 59-76), and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication of this order in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining thereto or to take such other action as may appear necessary or appropriate to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-1033; Filed, Feb. 10, 1949; 8:46 a. m.]

[File No. 70-2019]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 3d day of February 1949.

Consolidated Edison Company of New York, Inc. ("Consolidated Edison"), a holding company, having filed, pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 ("act"), an application in which it proposes to offer an aggregate of $28,000,000 principal amount of Consolidated Edison's 3% 15-year Convertible Debentures to the holders of the common stock of the company to emerge from the consolidation of Long Island Lighting Company, a registered holding company, and two of its public-utility subsidiary companies, Queens Borough Gas and Electric Company and Nassau & Suffolk Lighting Company, if such consolidation, which is now pending before this Commission pursuant to the provisions of section 11 (e) of the act, is approved by the appropriate regulatory authorities; and

The Commission having ordered that a hearing be held in such matter at 10 a. m., e. s. t., on February 8, 1949, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.; and

Applicant having requested that a postponement be granted with respect to the date of hearing in this matter; and

The Commission deeming it appropriate that the hearing fixed for February 8, 1949 be postponed to February 28, 1949:

It is ordered, That the hearing in this matter heretofore scheduled to commence on February 8, 1949, be, and hereby is, postponed to 10 a. m., e. s. t., on February 28, 1949, at the same place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-1031; Filed, Feb. 10, 1949; 8:46 a. m.]

[File No. 70-2034]

COLUMBIA GAS SYSTEM, INC. AND UNITED FUEL GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of February 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, United Fuel Gas Company ("United Fuel"), having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 9, 10 and 12 thereof and Rule U-43 promulgated thereunder, with respect to the issue and sale by United Fuel to Columbia of $2,000,000 principal amount of 3¼% Installment Promissory Notes due in equal annual installments on August 15 of each of the years from 1950 to 1974, inclusive; the proceeds from such sale to be utilized by United Fuel in connection with its construction program; and

The Public Service Commission of West Virginia, by order dated January 14, 1949, having approved the proposed issue and sale of notes by United Fuel; and

Said joint application-declaration having been filed on January 24, 1949 and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and that no adverse finding are necessary, and deeming it appropriate in the public interest and in the interests of investors and consumers that said joint application-declaration be granted and permitted to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-1034; Filed, Feb. 10, 1949; 8:46 a. m.]

[File No. 70-2045]

UNION PRODUCING CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of February A. D., 1949.

Notice is hereby given that an application-declaration has been filed with this

Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Producing Company ("Union"), a wholly owned non-utility subsidiary of United Gas Corporation ("United"), a gas utility subsidiary of Electric Power & Light Corporation, which is a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company. Union has designated sections 9 (a) (1) and 12 (c) of the act and Rule U-42 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Union proposes to redeem for cash on or before March 25, 1949, $1,000,000 principal amount of its 6% debentures due March 1, 1952, in accordance with the provisions thereof, at principal amount and accrued interest thereon to date fixed for such redemption. Union has presently outstanding $36,000,000 of said 6% Debentures all of which are owned by United. The Debentures are pledged and held as collateral under the provisions of the Mortgage and Deed of Trust securing United's First Mortgage Bonds. The application-declaration states that United has advised Union that United proposes to transfer the $1,000,000 principal amount to be received from Union to the Sinking Fund as the credit against current requirements in accordance with the provisions of the Mortgage and Deed of Trust securing United's First Mortgage Bonds.

Applicant-declarant requests that the Commission's order herein be issued as promptly as may be practicable and that it be effective forthwith upon the issuance thereof.

Notice is further given that any interested person may, not later than February 21, 1949 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 21, 1949, at 5:30 p. m., e. s. t., said application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49–1032; Filed, Feb. 10, 1949; 8:46 a. m.]

[File No. 70–2040]

NORTHERN STATES POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of February A. D. 1949.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Northern States Power Company ("the Company"), a Wisconsin corporation and subsidiary of Northern States Power Company, a Minnesota corporation and a registered holding company. The applicant designates section 6 (b) of the act and Rules U-23, U-24 and U-50 promulgated thereunder as applicable to the proposed transaction.

All interested persons are referred to said application on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

The Company proposes to issue and sell at competitive bidding, pursuant to the requirements of Rule U-50, $10,000,000 principal amount of its First Mortgage Bonds, ____% Series due March 1, 1979 ("New Bond"). The coupon interest rate, not in excess of 3½% per annum, and the price to the Company, not less than the principal amount nor more than 102¾% thereof, will be fixed by competitive bidding. Said New Bonds will be secured by a Supplemental Trust Indenture dated March 1, 1949, from the Company to First Wisconsin Trust Company, Trustee, being supplemental to the original indenture between the same parties made as of April 1, 1947.

The Company states that the proceeds from the New Bonds will be added to its general funds and used to provide part of the new capital required to carry out its 1949 construction budget. It estimates that approximately $13,560,000 will be expended in 1949 and approximately $1,840,000 in 1950. The financing of the construction budget will be provided from treasury cash (reserves and earnings), the proceeds of the sale of the New Bonds, and additional financing of approximately $3,500,000. It is the intention of the Company to accomplish the additional financing ultimately through the sale of additional Common Stock, if possible, with interim financing through bank loans or otherwise as required.

The Company estimates that its expenses in connection with the proposed transaction will be $80,000, including $11,500 for legal services. The proposed purchase contract provides that the successful bidder or bidders shall pay the fee ($6,000) and expenses of independent counsel to the underwriters.

The Company expects that its Registration Statement relating to its offering of the New Bonds will become effective on or about February 17, 1949 for the purpose of inviting and receiving competitive bids. It requests that the Commission reduce the 10-day notice period provided by Rule U-50 (b) to 6 days for the purpose of the proposed transaction, that the Commission's order be issued as expeditiously as possible, and that it be effective immediately upon issuance.

It is further stated the proposed transaction is subject also to the jurisdiction of the Public Service Commission of the State of Wisconsin, before which an application is now pending with respect thereto.

Notice is further given that any interested person may, not later than February 18, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49–1069; Filed, Feb. 10, 1949; 9:04 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12626]

ROBERT KANTER

In re: Estate of Robert Kanter, deceased. File No. D–66–1532; E. T. sec. 9768.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gertrude Nathanson, also known as Charlotte Gertrud Nathanson, and Dr. Hans Kanter, whose last known address was, on December 11, 1946, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That Katherina (Catherina) Finder and Helene Herrmann, the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Martha Avellis Schlesinger, deceased, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Mathilde Heller, also known as Gertrude Heller, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the sum of $320.84 was paid to the Alien Property Custodian by Byron R. Forster, Surviving Administrator of the estate of Robert Kanter, deceased;

4. That the said sum of $320.84 was accepted by the Attorney General of the United States on December 11, 1946, pursuant to the Trading with the Enemy Act, as amended;

5. That the said sum of $320.84 is presently in the possession of the Attorney General of the United States and was

property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof and Katherina (Catherina) Finder and Helene Herrmann, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Martha Avellis Schlesinger, deceased, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Mathilde Heller, also known as Gertrude Heller, deceased, were not within a designated enemy country on December 11, 1946, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-1037; Filed, Feb. 10, 1949; 8:56 a. m.]

[Vesting Order 12687]

ALLINE DE MURALT

In re: Stock owned by Alline De Muralt.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alline De Muralt, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Ten (10) shares of $15 par value capital stock of The Chase National Bank of New York, New York, New York, evidenced by a certificate numbered 388256, registered in the name of Alline De Muralt and presently in the custody of the Attorney General of the United States in an account numbered 28-24256, together with any and all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 13, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-1039; Filed, Feb. 10, 1949; 8:56 a. m.]

[Vesting Order 12705]

RICHARD HELLMANN AND TITLE GUARANTEE AND TRUST CO.

In re: Trust under agreement dated January 4, 1928 between Richard Hellmann, grantor, and Title Guarantee and Trust Company, trustee, and amendments. File No. F-28-3365 G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Gertrud Unger, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the issue, names unknown, of Marie Palm, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to and arising out of or under that certain trust agreement dated January 4, 1928, by and between Richard Hellmann, grantor, and Title Guarantee and Trust Company, trustee, as amended on December 29, 1927 and on February 15, 1928, presently being administered by Title Guarantee and Trust Company, trustee, 176 Broadway, New York 7, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the issue, names unknown of Marie Palm, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 26, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-1041; Filed, Feb. 10, 1949; 8:57 a. m.]

[Vesting Order CE-253, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN INDIANA, WISCONSIN, MINNESOTA AND OHIO COURTS

Vesting Order CE-253, dated April 23, 1946, is hereby amended as follows and not otherwise:

By deleting the name "Louise Orazen" appearing in Column 1 of Item 18 in Exhibit A attached to and by reference made a part of said Vesting Order CE-253 and substituting therefor the name "Alojzija Omahen."

All other provisions of said Vesting Order CE-253 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-1044; Filed, Feb. 10, 1949; 8:57 a. m.]